

S/N 09/844,965
Amendment dated September 23, 2005
Reply to Office Action of June 23, 2005

REMARKS

Reconsideration of the application is requested in view of the above amendments and the following remarks. Claims 1 and 77-83 have been amended. Claims 2-4, 7, 13, and 84-118 have been canceled without prejudice. Claims 1, 5, 6, 8-12, 14, 18-33, 36-47, 50-60, 63-72, and 75-83 are currently pending. Applicants request consideration of the following remarks.

For the reasons given below, Applicants submit that the amended claims are in condition for allowance and notification to that effect is earnestly solicited.

Claim Amendments

Applicants have amended claims 1 and 78-83 to recite a "holder at the first station, the holder being adapted and configured for supporting the object." This amendment finds support at least in claim 3 as originally filed.

Applicants have amended claims 1 and 77-83 to recite a sonicator comprising "ultrasonic irrigated probe at the first station and adjacent position taken by the object in the holder and adapted and configured to impact the object in the first station with ultrasonic energy and to provide ultrasonic energy from a point at the first station." This amendment finds support in the specification at least in claims 2-4 as originally filed.

Applicants respectfully argue claims 1, its dependents, and claims 77-83 are in condition for allowance, and notification to that affect is earnestly solicited.

Claim Rejections under 35 U.S.C. §103(a)

Claims 1-2, 5, 9-11, 14, 18-25, 29, 31-33, 36-40, 42-43 and 45-47, 50-56, 58-60, 63-68, 70-72 and 75 were rejected under 35 U.S.C. §103(a) as obvious over Moyers together with Oakes et al. (US Patent No. 5,718,910). Applicants respectfully request withdrawal of this rejection.

Applicants respectfully submit that the amendments to claim 1 overcome this rejection. The Office Action did not reject claims 3 and 4 with respect to these references. The amendments to claim 1 incorporate the recitations of claims 3 and 4. Thus, because the references cited were not applied to claims 3 and 4, the amendment to claim 1 incorporating their recitations is also allowable over Moyers together with Oakes et al.

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Accordingly, based on the foregoing differences, Applicants respectfully submit that these references neither teach nor suggest the presently claimed invention and withdrawal of this rejection is respectfully requested.

The Examiner rejected Claim 77 under 35 U.S.C. § 103(a) as being obvious over GB 947,700 in view of either Rosenblatt et al. (US Patent No. 4,504,442) or Jefferis, II et al. (US Patent No. 4,908,188). Applicants respectfully request withdrawal of this rejection.

Applicants respectfully submit that the amendments to claim 77 overcome this rejection. The Office Action did not reject claims 2-4 with respect to these references. The amendment to claim 1 incorporates the recitations of claims 2-4. Thus, because the references cited were not applied to claims 2-4, the amendment to claim 77 incorporating the recitations of claims 2-4 is also allowable over the cited references.

Accordingly, based on the foregoing differences, Applicants respectfully submit that these references neither teach nor suggest the presently claimed invention and withdrawal of this rejection is respectfully requested.

The Examiner rejected claims 3-4, 6-8, and 12-13 under 35 U.S.C. §103(a) as being unpatentable over Moyers and Oakes et al. as above, and further in view of Hohmann et al. (US Patent No. 4,710,233). Applicants respectfully request withdrawal of this rejection.

Claims 3-4, 7, and 13 have been canceled without prejudice. Thus, the application of this rejection to claims 3-4, 7, and 13 is moot. Applicants respectfully request withdrawal of this rejection as applied to claims 3-4, 7, and 13.

Applicants respectfully submit that the amendments to claim 1 overcome this rejection. Claims 6, 8, and 12 depend from Claim 1. The Office Action did not reject claim 2 with respect to these references. The amendment to claim 1 incorporates the recitations of claim 2. Thus, because the references cited were not applied to claim 2, the amendment to claim 1 and its dependents incorporating the recitations of claim 2 is also allowable over the cited references.

Accordingly, based on the foregoing differences, Applicants respectfully submit that these references neither teach nor suggest the presently claimed invention and withdrawal of this rejection is respectfully requested.

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Claims 26-28, 41, 44, 57, 69, 76, 78-84, 87-92, 94-95, 97-98, 100, 103-107, 109-110, and 112-118 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Moyers and Oakes et al., as applied above, and further in view of GB 947,700 and either Rosenblatt, or Jefferis, III et al., as applied above. Applicants respectfully request withdrawal of this rejection.

Claims 84, 87-92, 94-95, 97-98, 100, 103-107, 109-110, and 112-118 have been canceled without prejudice. Thus, the application of this rejection to these claims is moot. Applicants respectfully request withdrawal of this rejection as applied to claims 84, 87-92, 94-95, 97-98, 100, 103-107, 109-110, and 112-118.

Applicants respectfully submit that the amendments to claims 1 and 77-83 overcome this rejection as applied to claims 26-28, 41, 44, 57, 69, 76, 78-83. The Office Action did not reject claims 2-4 with respect to these references. The amendment to independent claims 1 and 77-83 incorporates the recitations of claims 2-4. Thus, because the references cited were not applied to claims 2-4, the amendment to claims 1, its dependents, and claims 77-83 incorporating the recitations of claims 2-4 is also allowable over the cited references.

Accordingly, based on the foregoing differences, Applicants respectfully submit that these references neither teach nor suggest the presently claimed invention and withdrawal of this rejection is respectfully requested.

Claims 30, 85-86, 102, and 111 were rejected under 35 U.S.C. 103 (a) as being unpatentable over Moyers and Oakes et al., together with GB 947,700 and either Rosenblatt or Jefferis, III et al., as applied above, and further in view of GB 2,040,150 A. Applicants respectfully request withdrawal of this rejection.

Claims 85-86, 102, and 111 have been canceled without prejudice. Thus, the application of this rejection to claims 85-86, 102, and 111 is moot. Applicants respectfully request withdrawal of this rejection as applied to claims 85-95, 102, and 111.

Applicants respectfully submit that the amendments to claim 1 overcome the rejection as applied to claim 30. The Office Action did not reject claims 2-4 with respect to these references. The amendment to claim 1 incorporates the recitations of claims 2-4. Thus, because the

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references cited were not applied to claims 2-4, the amendment to claim 1, its dependent claim 30, incorporating the recitations of claims 2-4 is also allowable over the cited references.

Accordingly, based on the foregoing differences, Applicants respectfully submit that these references neither teach nor suggest the presently claimed invention and withdrawal of this rejection is respectfully requested.

Claims 93 and 96 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Moyer and Oakes et al., together with GB 947,700 and either Rosenblatt et al., or Jefferis, III et al., as applied above, and further in view of Hohmann et al. Applicants respectfully request withdrawal of this rejection.

Claims 93 and 96 have been canceled without prejudice. Thus, the application of this rejection to the dependents of claim 93 and 96 is moot. Applicants respectfully request withdrawal of this rejection as applied to claims 93 and 96.

Accordingly, based on the foregoing differences, Applicants respectfully submit that these references neither teach nor suggest the presently claimed invention and withdrawal of this rejection is respectfully requested.

SUMMARY

In view of the above, Applicant contends the claims are allowable and respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

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Mark T. Skoog
Mark T. Skoog
Reg. No. 40,178

